

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5027

IN THE MATTER OF:

Served February 24, 1997

Application to Transfer)	Case No. AP-97-02
Certificate No. 311 from GIRMA)	
BELAY, Trading as QUALITY)	
TRANSPORT, to QUALITY TRANSPORT,)	
INC.)	

Girma Belay, trading as Quality Transport (Belay or transferor), WMATC Carrier No. 311, and Quality Transport, Inc. (QTI or transferee), a Maryland corporation, (collectively applicants), seek Commission approval to transfer Certificate of Authority No. 311 from Belay to QTI. Belay holds a controlling interest in QTI. The application is unopposed.

Article XI, Section 11(a), of the Compact governs the transfer of assets, including a certificate of authority, by an unincorporated WMATC carrier in exchange for a controlling interest in a newly formed corporation.¹ A transfer of this nature raises fitness issues only.²

Transferee proposes commencing operations with two vans. Transferee's proposed tariff contains individual and group rates.

Transferee filed a balance sheet as of September 30, 1996, showing assets and equity of \$7,235. Transferee's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$201,600; expenses of \$170,607; and net income of \$30,993.

Transferee certifies it has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and United States Department of Transportation regulations relating to transportation of passengers for hire.

Based on the evidence in this record, the Commission finds transferee to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements and, therefore, that the transfer of assets, including Certificate No. 311, to QTI is consistent with the public interest.³

¹ In re Mildred Davis Roopnaraine, t/a MDR Transporting Serv., & MDR Transporting Serv., Inc., No. AP-95-28, Order No. 4623 (June 27, 1995).

² Id.

³ Although transferor has not filed his annual report for 1996 and paid the \$100 annual fee for 1997, the Commission's finding of consistency with the public interest is predicated on applicants'

THEREFORE, IT IS ORDERED:

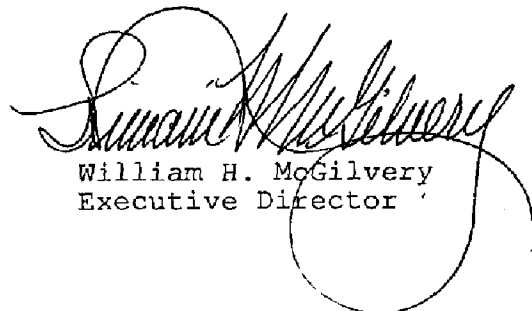
1. That upon transferee's timely compliance with the requirements of this order, Certificate of Authority No. 311 shall be reissued to Quality Transport, Inc., 4113-71st Avenue, Landover Hills, MD 20784.

2. That transferee may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 311 has been reissued in accordance with the preceding paragraph.

3. That transferee is hereby directed to file the following documents within thirty days: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61.

4. That the approval of transfer herein shall be void and the application shall stand denied upon transferee's failure to timely satisfy the conditions of reissuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery
Executive Director

compliance with Commission Regulations Nos. 60-01 and 67, and any orders issued thereunder, which must occur before Certificate No. 311 will be reissued.